

REMARKS

Claims 1-4, 6-16, 18, and 19 remain in the application.

Claims 1-4, 6-16, and 18-19 stand rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-19 of co-pending US application No. 10/595,379.

It is respectfully submitted that the rejection is improper due to USPTO error and the claims should be deemed allowable.

According to the records of the USPTO as shown in the Electronic Acknowledgement Receipt appended hereto as Exhibit A, US Patent Application Number 10/595,379 is an invention by Thomas Stoneman entitled "Apparatus and Method to Simultaneously Clean and Inspect Conduits". Clearly the invention of 10/595,379 is unrelated to the present invention.

In addition, if one looks at U.S. Patent Publication No. 2007-0067298, the inventor information and serial number refer to the Stoneham invention **BUT** the specification and drawings are Applicants' patent application. The Examiner found double patenting when comparing Applicants' application incorrectly filed by the USPTO under 10/595,379 with Applicants' application under 10/828,575. The USPTO clearly erroneously filed Applicants' application under another serial number (10/595,379). Hence, there cannot be double patenting of Applicants' claims with the claims of the incorrectly published 10/595,379 application.

Therefore, the rejection of claims 1-4, 6-16, and 18-19 under 35 U.S.C. 101 must be removed and the claims should be deemed allowable.

Reexamination, reconsideration and allowance of claims 1-4, 6-16, 18 and 19 remaining in the application are respectfully requested.

Authorization is hereby given to charge Deposit Account No. 02-1822 the fee due under 37 CFR 1.17(a) of \$490.00 for a two (2) month extension of the time to reply to the Office Action.

Respectfully submitted,
/Philip J. Feig Reg. No. 27328/

Philip J. Feig
Registration No. 27,328
Telephone No. 732-699-7997

Encl. Exhibit A

Electronic Acknowledgement Receipt

EFS ID:	1022728
Application Number:	10595379
Confirmation Number:	8443
Title of Invention:	Appratus and Method to Simultaneously Clean and Inspect Conduits
First Named Inventor:	Thomas Stoneman
Customer Number:	21875
Filer:	Arthur McKee Dula
Filer Authorized By:	
Attorney Docket Number:	UG-PCT-US1
Receipt Date:	13-APR-2006
Filing Date:	
Time Stamp:	13:49:48
Application Type:	U.S. National Stage under 35 USC 371
International Application Number:	PCT/US05/09860

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$ 700.0
RAM confirmation Number	419
Deposit Account	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part	Pages
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1	Documents submitted with 371 Applications	UG-PCT.pdf	676815	no	57
Warnings: The page size in the PDF is too large. The pages should be 8.5 x 11 or A4. If this PDF is submitted, the pages will be resized upon entry into the Image File Wrapper and may affect subsequent processing					
Information:					
2	Documents submitted with 371 Applications	UG-declaration.pdf	62259	no	1
Warnings:					
Information:					
3	Fee Worksheet (PTO-875)	fee-info.pdf	8499	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			747573		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p>					

Dible, Ashley N

From: Feig, Philip J
Sent: Tuesday, December 23, 2008 12:05 AM
To: Dible, Ashley N; D'Avanzo, Joseph A
Cc: Feig, Philip J
Subject: APP1566
Importance: High

Ashley,

There is a new amendment on the R-drive for 1566. The amendment can be filed with a TWO month extension. Before filing the amendment, the file labeled 10595379[1].pdf on the R-drive includes two pages entitled "Electronic Acknowledgement Receipt". Please write "Exhibit A" on the top of the first page and scan the two page EAR with the amendment for filing.

Another one bites the dust.
Phil

12/23/2008